

# HOUSE STANDING COMMITTEE ON SENIOR HEALTH, SECURITY AND RETIREMENT

---

327 House Office Building

Tuesday 9:00 A.M.

October 11, 2005

---

**Representative Vander Veen, Chair**, called the meeting to order.

**MEMBERS PRESENT:** Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi.

**Representative Proos** moved, supported by **Representative Zelenko**, to excuse the absent member.

There being no objection, the motion prevailed by **unanimous consent**.

**MEMBER ABSENT/EXCUSED:** Representative Van Regenmorter.

**Representative Vagnozzi** moved, supported by **Representative Green**, to approve the minutes of the **June 21, 2005** meeting.

There being no objection, the motion prevailed by **unanimous consent**.

**The Chair** laid **HB 5183** before the committee.

HB 5183   Hune                      Health facilities; nursing homes; substance abuse testing policy  
and random testing of adult caregivers; provide for.

**Representative Hune** testified in **support** of **HB 5183**. Questions and discussion followed.

The following submitted testimony cards in **support** of **HB 5183**, but did not wish to speak.

**Orlene Christie**, representing the Michigan Department of Community Health

**Kate White**, representing the Elder Law of Michigan

**Jim Cavanagh**, representing the Michigan Assisted Living Association. Mr. Cavanagh also submitted written material.\*

The following submitted testimony cards indicating a **neutral** position, but did not wish to speak.

**Sarah Slocum**, representing the State Long Term Care Ombudsman

**Ben Bodkin**, representing the Michigan County Medical Care Facilities council

**The Chair** laid **HB 4789** before the committee.

HB 4789 Vander Veen Health facilities; nursing homes; use of "dining assistants"; allow.

**Representative Vander Veen** testified in **support** of **HB 4789**.

The following submitted testimony cards in **support** of **HB 4789**, but did not wish to speak.

**Orlene Christie**, representing the Michigan Department of Community Health

**Kate White**, representing the Elder Law of Michigan

**Jim Cavanagh**, representing the Michigan Assisted Living Association

**Ben Bodkin**, representing the Michigan County Medical Care Facilities Council

The following submitted testimony cards indicating a **neutral** position, but did not wish to speak.

**Sarah Slocum**, representing the State Long Term Care Ombudsman

**Cynthia A. Paul, Leeanna Good, and Marcella Clark**, representing the Service Employees International Union, testified in **opposition** to **HB 4789**. Ms. Paul also submitted written testimony.\*

**Kim Ringlever**, representing the Health Care Association of Michigan, testified in **support** of **HB 4789**.

**Tom Masseau**, representing the Michigan Protection and Advocacy Service, testified in a **neutral position** to **HB 4789**.

**Alison Hirschel**, representing the Michigan Campaign for Quality Care and the Michigan Poverty Law Project, testified in a **neutral position** to **HB 4789**. Ms. Hirschel also submitted written testimony.\*

**The Chair** laid **HB 4792** before the committee.

HB 4792 Zelenko Health facilities; nursing homes; posting and notification of inspection visit and survey results to each resident, his or her family, or his or her designated representative; require.

**Representative Zelenko** testified in support of **HB 4792**.

The following submitted testimony cards in **support** of **HB 4792**, but did not wish to speak.

**Orlene Christie**, representing the Michigan Department of Community Health

**Kate White**, representing the Elder Law of Michigan

**Jim Cavanagh**, representing the Michigan Assisted Living Association.

**Sarah Slocum**, representing the State Long Term Care Ombudsman, submitted a testimony card indicating a **neutral** position, but did not wish to speak.

**Ben Bodkin**, representing the Michigan County Medical Care Facilities council, submitted a testimony card in opposition to **HB 4792** and did not wish to speak.

**Tom Masseau**, representing the Michigan Protection and Advocacy testified in support of **HB 4792**. Questions and discussion followed.

**Alison Hirschel**, representing the Michigan Advocacy Project and the Michigan Campaign for Quality Care, testified in support of **HB 4792**.

**Kim Ringlever**, representing the Health Care Association of Michigan, testified in opposition to **HB 4792**.

The Chair placed the committee at ease at 10:15 a.m.

The Chair called the meeting back to order at 10:18 a.m.

The committee returned to the consideration of **HB 5183**.

**Representative Polidori** moved, supported by **Representative Stahl**, to adopt the **(H-2)** substitute for **HB 5183**.

The motion prevailed by **a vote of 7-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Zelenko, Polidori, Clack and Vagnozzi,  
Nays: None,  
Pass: None.

**Representative Polidori** moved, supported by **Representative Zelenko**, to report **HB 5183** as **substitute (H-2)** with recommendation.

The motion prevailed by **a vote of 8-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi,  
Nays: None,  
Pass: None.

**HB 5183 (H-2) reported out with recommendation.**

The committee returned to the consideration of **HB 4789**.

**Representative Zelenko** moved, supported by **Representative Vander Veen**, to adopt the (H-1) substitute for **HB 4789**.

The motion prevailed by a **vote of 7-1-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori and Clack,

Nays: Representative Vagnozzi,

Pass: None.

**Representative Zelenko** moved, supported by **Representative Proos**, to adopt the following amendment to **HB 4789 (H-1)**.

1. Amend page 5, line 8, by inserting:

“(9) IF THE FINAL REPORT ON THE MERITS OF THE MICHIGAN DINING ASSISTANT PILOT PROJECT CONDUCTED BY THE DEPARTMENT OF COMMUNITY HEALTH AND MICHIGAN STATE UNIVERSITY IS NOT COMPLETED BY MAY 1, 2006, THE DEPARTMENT SHALL ISSUE AN INTERIM REPORT ON THE UTILIZATION OF DINING ASSISTANTS WITHIN A NURSING HOME BY JUNE 1, 2006 AND BY JULY 1, 2006 PRESENT THAT INTERIM REPORT TO THE HOUSE OF REPRESENTATIVES AND SENDATE STANDING COMMITTEES THAT REPORTED HOUSE BILL NO. 4789 OF THE 93<sup>RD</sup> LEGISLATURE.” and renumbering the remaining subsection.

2. Amend page 6, line 7, by striking out all of enacting section 1 and inserting:

“Enacting section 1. It is the intent of this legislature that this amendatory act take effect September 30, 2006 unless the legislature concludes, after consulting with the department of community health, reviewing the interim report or final report, if completed, of the dining assistant pilot project conducted by the department of community health and Michigan state university, and holding at least 1 meeting open to the public for discussion of that report, that the use of dining assistants within a nursing home has detrimental impact on patient care and well-being and repeals section 21794 of the public health code, 1978 PA 368, MCL 333.21794.”.

The motion prevailed by a **vote of 8-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi,

Nays: None,

Pass: None.

**Representative Stahl** moved, supported by **Representative Zelenko**, to report **HB 4789** as substitute (H-2) with recommendation.

The motion prevailed by **a vote of 7-1-0.**

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori and Clack,  
Nays: Representative Vagnozzi,  
Pass: None.

**HB 4789 (H-2) reported out with recommendation.**

The committee returned to the consideration of **HB 4792.**

**Representative Zelenko** moved, supported by **Representative Green**, to adopt the **(H-1)** substitute for **HB 4792.**

The motion prevailed by **a vote of 8-0-0.**

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi,  
Nays: None,  
Pass: None.

**Representative Zelenko** moved, supported by **Representative Proos**, to adopt the following amendment to **HB 4792 (H-2).**

1. Amend page 15, line 26, after “**THE**” by striking out “**CORRECTION**” and inserting “**REMOVAL**”.

The motion prevailed by **a vote of 8-0-0.**

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi,  
Nays: None,  
Pass: None.

**Representative Stahl** moved, supported by **Representative Zelenko**, to report **HB 4792** as **substitute (H-3)** with recommendation.

The motion prevailed by **a vote of 8-0-0.**

**FAVORABLE ROLL CALL:**

Yeas: Representatives Vander Veen, Green, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi,

Nays: None,  
Pass: None.

**HB 4792 (H-3) reported out with recommendation.**

With no further business to come before the committee, **the Chair** adjourned the meeting, the time being **10:25 a.m.**

---

Representative Vander Veen, Chair

Dave Mead  
Committee Clerk  
October 11, 2005  
1 hour 25 minutes

---

Date Approved and Signed

\* indicated printed material attached to original minutes.